



The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

December 6, 2004

Michael Lalumiere, Chairperson  
Town of Whitefield, Board of Selectmen  
7 Jefferson Road  
Whitefield, NH 03598

**NOTICE OF PAST VIOLATION**

Re: November 24, 2004 Overflow  
Whitefield WWTF - NPDES Permit No. NH0100510

Dear Mr. Lalumiere:

The Department of Environmental Services (DES) has received another correspondence from the town of Whitefield (the Town), this one dated November 26, 2004 regarding a November 24, 2004 overflow of approximately 50,000 gallons of raw sewage. This incident occurred at the same manhole as the 100,000 gallon overflow that occurred ten days earlier. The recurrence of these incidents within such a short time emphasizes the need for the Town to evaluate and take appropriate preventive measures so these incidents do not reoccur.

Again, through this Notice of Past Violation, DES is documenting that a violation has occurred with this unpermitted discharge. DES is putting the Town on notice that overflow events such as this one and those that have been experienced by the Town in the past may result in the imposition of a fine (including, but not necessarily limited to imposition of a fine amount per citation Env-C 603.05). Consideration will be given to the nature of such events, actions taken to prevent such events, actions taken to address events that were not prevented, among other factors. We reiterate, as contained in our Notice of Past Violation letter dated November 22, 2004, that DES expects a preventive measures action plan by January 21, 2005 detailing what the Town is doing to prevent and deal with such overflow events.

This letter does not preclude further action on the part of DES or EPA for this or any other overflow event. If you have any questions regarding this Notice of Past Violation, please contact Stergios Spanos at (603) 271-6637.

Sincerely,

**COPY**

John R. Bush, P.E., Administrator  
Wastewater Engineering Bureau

cc: Joy Hilton – USEPA, Water Technical Unit  
William Robinson, Superintendent, Whitefield  
Gretchen Hamel – DES Legal Unit

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